

10/768,431

LUC-463/Barclay 12-10-6-9

REMARKS

Claims 1-23 are pending in the application. Claims 1-23 were rejected under 35 U.S.C. § 103 (a).

Rejections Under 35 U.S.C. § 103 (a)

Claims 1-13, 16-21 and 23 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U. S. Patent Number 6,266,514 issued to O'Donnell on July 24, 2001 in view of U. S. Patent Number 6,308,071 issued to Kalev on October 23, 2001 and U.S. Patent Number 7,272,387 issued to Hsu et al. on September 18, 2007 and U. S. Patent Number 7,103,345 issued to Lipsanen on September 6, 2006.

Claims 14 and 15 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over O'Donnell in view of Kalev and Hsu and Lipsanen as applied to claim 13, and further in view of U.S. Patent Application Number 20050119013 issued to Jeong et al. dated June 2, 2005.

Claim 22 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over O'Donnell in view of Kalev and Hsu and Lipsanen as applied to claim 16, and further in view of U.S. Patent Number 6,233,448 issued to Alperovich et al. on May 15, 2001.

Rejection Under O'Donnell, Kalev, Hsu and Lipsanen

Claims 1-13, 16-21 and 23 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over O'Donnell in view of Kalev and Hsu.

Applicants have avoided this ground of rejection for the following reasons.

Applicants' claim 1, as amended, now recites,

"a network component that employs a) one or more call characteristics to make a determination to initiate a request to a switch component for one or more positions of one or more mobile stations and b) one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations, wherein at least one of the one or more call parameters employed to identify one of the

10/768,431

LUC-463/Barclay 12-10-6-9

one or more cellular network cells is a telephony number of at least one of the one or more mobile stations; and

wherein the network component receives, in response to the request, the one or more positions of the one or more mobile stations from a position component that determines the one or more positions of the one or more mobile stations continuously; and

wherein the switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters".

As stated in the Final Office Action, O'Donnell does not teach or suggest "a network component that employs one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations". Also, as stated in the Final Office Action, O'Donnell and Kalev do not teach or suggest "wherein at least one of the one or more call parameters is a telephony number of the one or more mobile stations". Furthermore, O'Donnell, Kalev and Hsu do not teach or suggest "wherein a switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the call parameter", as stated in the Final Office Action.

The Examiner proposes to combine Lipsanen with O'Donnell, Kalev and Hsu. However, applicants assert that the proposed combination of O'Donnell, Kalev and Hsu with Lipsanen does not reflect the specific limitations recited in applicants' claim 1 since the resultant system would not be a properly functioning system. Specifically, the Final Office Action states that Kalev teaches a network component, i.e., base station controller, that employs one or more call parameters, i.e., location area code and cell identity, to identify one or more cellular network cells associated with the one or more mobile stations. Also, the Final Office Action states that Hsu discloses the use of a **telephony number, i.e., the MSISDN of a mobile station, as a specific call parameter**, i.e., "at least one of the one or more call parameters", to identify one or more cellular network cells associated with the one or more mobile stations.

10/768,431

LUC-463/Barclay 12-10-6-9

By contrast, Lipsanen does not teach the use of a telephony number, i.e., the MSISDN of a mobile station, as a specific call parameter as done in Hsu. Instead, the Examiner asserts "assigning a channel communication for a call between mobile terminal 4 and a fixed telephone 5, wherein the MSC searches a database to verify the A-number before assigning a channel for communication between the mobile telephone 4 and fixed telephone 5" as a specific call parameter. However, the system resulting from the proposed combination of O'Donnell, Kalev and Hsu with Lipsanen would not be a properly functioning system, because "assigning a channel communication for a call between mobile terminal 4 and a fixed telephone 5, wherein the MSC searches a database to verify the A-number before assigning a channel for communication between the mobile telephone 4 and fixed telephone 5" as done in Lipsanen cannot be used as a call parameter to "identify one or more cellular network cells associated with the one or more mobile stations" as done in Hsu. Thus, the proposed combination of Lipsanen with O'Donnell, Kalev and Hsu is improper.

Therefore the proposed combination of O'Donnell with Kalev, Hsu and Lipsanen does not teach or suggest all of the limitations in applicants' claim 1, and therefore claim 1 is allowable over the proposed combination. Since claims 2-13, 16-17 and 22-23 depend from allowable claim 1, these claims are also allowable over the proposed combination.

Independent claims 18 and 21 each have a limitation similar to that of independent claim 1, which was shown is not taught by the proposed combination. For example, claims 18 and 21 recite, "wherein a switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters". The proposed combination of O'Donnell, Kalev, Hsu and Lipsanen does not teach or suggest this limitation for the above-mentioned reasons. Therefore, claims 18 and 21 are likewise allowable over the proposed combination. Since claims 19-20 depend from claim 18, these dependent claims are also allowable over the proposed combination.

10/768,431

LUC-463/Barclay 12-10-6-9

Rejections Under O'Donnell, Kalev, Hsu, Lipsanen, Jeong and Alperovich

Claims 14 and 15 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over O'Donnell in view of Kalev, Hsu and Lipsanen as applied to claim 13, and further in view of Jeong.

Claim 22 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over O'Donnell in view of Kalev, Hsu and Lipsanen as applied to claim 16, and further in view of Alperovich.

Applicants respectfully traverse these grounds of rejection.

These rejections are based on the rejection under O'Donnell, Kalev, Hsu and Lipsanen being proper. As that ground of rejection has been overcome, and none of the cited references teach or suggest "wherein a switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters", as recited in applicants' independent claims 1, 18 and 21, the combination of O'Donnell with Kalev, Hsu, Lipsanen, Jeong and Alperovich does not supply this missing element. Thus, this combination does not make obvious any of applicants' claims, all of which require the aforesaid limitation.

10/768,431

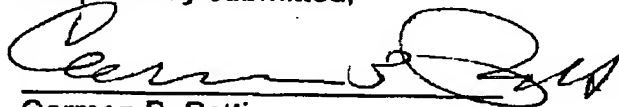
LUC-463/Barclay 12-10-6-9

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



Carmen B. Patti
Attorney for Applicants
Reg. No. 26,784

Dated: May 8, 2008

PATTI, HEWITT & AREZINA, LLC
Customer Number 47382